

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA, )  
Plaintiff, )  
vs. )  
ISMAEL BAJO PENA, )  
Defendant. )  
8:13CR287  
ORDER

This matter is before the court on the oral motions of the government and of defendant Ismael Bajo Pena (Pena) for an extension of the discovery and pretrial motion deadlines. The motions were made during the arraignment on the Indictment on July 1, 2015. Pena acknowledged the additional time needed for his motion would be excluded under the calculations under the Speedy Trial Act. The oral motion was granted.

## IT IS ORDERED:

1. The motions for an extension of the discovery deadline and time to file pretrial motions is granted. Discovery shall be completed **on or before August 7, 2015**. Any pretrial motion shall be filed **on or August 28, 2015**, in which to file pretrial motions in accordance with the progression order.

2. The ends of justice have been served by granting such motions and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motions, i.e., **from July 1, 2015, and August 28, 2015,** shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 1st day of July, 2015.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge